

103D CONGRESS
1ST SESSION

S. 1431

To establish a Commission on Crime and Violence.

IN THE SENATE OF THE UNITED STATES

AUGUST 6 (legislative day, JUNE 30), 1993

Mr. DECONCINI introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a Commission on Crime and Violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF COMMISSION ON CRIME**
4 **AND VIOLENCE.**

5 (a) ESTABLISHMENT.—There is established a com-
6 mission to be known as the “National Commission on
7 Crime and Violence in America” (referred to as the “Com-
8 mission”).

9 (b) MEMBERSHIP.—

10 (1) IN GENERAL.—The Commission shall be
11 composed of 22 members, of whom—

12 (A) 6 shall be appointed by the President;

1 (B) 8 shall be appointed by the Speaker of
2 the House of Representatives, of whom 2 shall
3 be appointed on the recommendation of the mi-
4 nority leader; and

5 (C) 8 shall be appointed by the President
6 pro tempore of the Senate, of whom 6 shall be
7 appointed on the recommendation of the major-
8 ity leader and 2 shall be appointed on the rec-
9 ommendation of the minority leader.

10 (2) GOALS IN MAKING APPOINTMENTS.—In ap-
11 pointing members of the Commission, the President,
12 Speaker, President pro tempore, and the majority
13 and minority leaders shall seek to ensure that—

14 (A) the membership of the Commission re-
15 flects the racial, ethnic, and gender diversity of
16 the United States; and

17 (B) members are specially qualified to
18 serve on the Commission by reason of their edu-
19 cation, training, expertise, or experience in—

- 20 (i) sociology;
- 21 (ii) psychology;
- 22 (iii) law;
- 23 (iv) law enforcement;
- 24 (v) social work; and

1 (vi) ethnography and urban poverty,
2 including health care, housing, education,
3 and employment.

4 (3) DEADLINE.—Members of the Commission
5 shall be appointed within 60 days after the date of
6 enactment of this Act.

7 (4) TERM.—Members shall serve on the Com-
8 mission through the date of its termination under
9 section 7.

10 (5) MEETINGS.—The Commission—

11 (A) shall have its headquarters in the Dis-
12 trict of Columbia; and

13 (B) shall meet at least once each month
14 for a business session.

15 (6) QUORUM.—Twelve members of the Commis-
16 sion shall constitute a quorum, but a lesser number
17 may hold hearings.

18 (7) CHAIRPERSON AND VICE CHAIRPERSON.—
19 Not later than 15 days after the members of the
20 Commission are appointed, the members shall des-
21 ignate a Chairperson and Vice Chairperson of the
22 Commission.

23 (8) VACANCIES.—A vacancy in the Commission
24 shall be filled not later than 30 days after the Com-

1 mission is informed of the vacancy in the manner in
2 which the original appointment was made.

3 (9) COMPENSATION.—

4 (A) NO PAY, ALLOWANCE, OR BENEFIT.—

5 Members of the Commission shall receive no
6 pay, allowances, or benefits by reason of their
7 service on the Commission.

8 (B) TRAVEL EXPENSES.—A member of the
9 Commission shall receive travel expenses, in-
10 cluding per diem in lieu of subsistence, in ac-
11 cordance with sections 5702 and 5703 of title
12 5, United States Code.

13 **SEC. 2. DUTIES.**

14 The Commission shall—

15 (1) review the effectiveness of traditional crimi-
16 nal justice approaches in preventing and controlling
17 crime and violence;

18 (2) examine the impact that changes to Federal
19 and State law have had in controlling crime and vio-
20 lence;

21 (3) examine the impact of changes in Federal
22 immigration laws and policies and increased develop-
23 ment and growth along United States international
24 borders on crime and violence in the United States,
25 particularly among our Nation's youth;

1 (4) examine the problem of youth gangs and
2 provide recommendations on how to reduce youth in-
3 volvement in violent crime;

4 (5) examine the extent to which assault weap-
5 ons and high power firearms have contributed to vio-
6 lence and murder in the United States;

7 (6) convene hearings in various parts of the
8 country to receive testimony from a cross section of
9 criminal justice professionals, business leaders, elect-
10 ed officials, medical doctors, and other citizens that
11 wish to participate;

12 (7) review all segments of the criminal justice
13 system, including the law enforcement, prosecution,
14 defense, judicial, corrections components, in develop-
15 ing the crime control and antiviolenace plan;

16 (8) develop a comprehensive and effective crime
17 control and antiviolenace plan that will serve as a
18 blueprint for action in the 1990's;

19 (9) bring attention to successful models and
20 programs in crime prevention, crime control, and
21 antiviolenace;

22 (10) reach out beyond the traditional criminal
23 justice community for ideas when developing the
24 comprehensive crime control and antiviolenace plan;

1 (11) recommend improvements in the coordina-
2 tion of Federal, State, local, and international bor-
3 der crime control efforts;

4 (12) make a comprehensive study of the eco-
5 nomic and social factors leading to or contributing
6 to crime and violence and specific proposals for leg-
7 islative and administrative actions to reduce crime
8 and violence and the elements that contribute to
9 crime and violence; and

10 (13) recommend means of allocating finite cor-
11 rectional facility space and resources to the most se-
12 rious and violent offenders, with the goal of achiev-
13 ing the most cost-effective crime control and protec-
14 tion of the community and public safety, after—

15 (A) examining the issue of disproportionate
16 incarceration rates among black males and any
17 other minority group disproportionately rep-
18 resented in Federal and State correctional pop-
19 ulations; and

20 (B) considering increased use of alter-
21 natives to incarceration that offer a reasonable
22 prospect of equal or better crime control at
23 equal or less cost than incarceration.

24 **SEC. 4. STAFF AND SUPPORT SERVICES.**

25 (a) DIRECTOR.—

1 (1) APPOINTMENT.—After consultation with the
2 members of the Commission, the Chairperson shall
3 appoint a director of the Commission (referred to as
4 the “Director”).

5 (2) COMPENSATION.—The Director shall be
6 paid the rate of basic pay for level V of the Execu-
7 tive Schedule.

8 (b) STAFF.—With the approval of the Commission,
9 the Director may appoint such personnel as the Director
10 considers to be appropriate.

11 (c) CIVIL SERVICE LAWS.—The staff of the Commis-
12 sion shall be appointed without regard to the provisions
13 of title 5, United States Code, governing appointments in
14 the competitive service and shall be paid without regard
15 to the provisions of chapter 51 and subchapter III of chap-
16 ter 53 of that title relating to classification and General
17 Schedule pay rates.

18 (d) EXPERTS AND CONSULTANTS.—With the ap-
19 proval of the Commission, the Director may procure tem-
20 porary and intermittent services under section 3109(b) of
21 title 5, United States Code.

22 (e) STAFF OF FEDERAL AGENCIES.—Upon the re-
23 quest of the Commission, the head of any Federal agency
24 may detail, on a reimbursable basis, personnel of that

1 agency to the Commission to assist in carrying out its
2 duties.

3 (f) PHYSICAL FACILITIES.—The Administrator of the
4 General Services Administration shall provide suitable of-
5 fice space for the operation of the Commission. The facili-
6 ties shall serve as the headquarters of the Commission and
7 shall include all necessary equipment and incidentals re-
8 quired for proper functioning.

9 **SEC. 5. POWERS.**

10 (a) HEARINGS.—The Commission may conduct pub-
11 lic hearings or forums at its discretion, at any time and
12 place it is able to secure facilities and witnesses, for the
13 purpose of carrying out its duties.

14 (b) DELEGATION OF AUTHORITY.—Any member or
15 agent of the Commission may, if authorized by the Com-
16 mission, take any action that the Commission is author-
17 ized to take by this section.

18 (c) INFORMATION.—The Commission may secure
19 from any Federal agency or entity in the executive or leg-
20 islative branch such materials, resources, statistical data,
21 and other information as is necessary to enable it to carry
22 out this Act. Upon request of the Chairperson or Vice
23 Chairperson of the Commission, the head of a Federal
24 agency or entity shall furnish the information to the Com-
25 mission to the extent permitted by law.

1 (d) GIFTS, BEQUESTS, AND DEVISES.—The Commis-
2 sion may accept, use, and dispose of gifts, bequests, or
3 devises of services or property, both real and personal, for
4 the purpose of aiding or facilitating the work of the Com-
5 mission. Gifts, bequests, or devises of money and proceeds
6 from sales of other property received as gifts, bequests,
7 or devises shall be deposited in the Treasury and shall be
8 available for disbursement upon order of the Commission.

9 (e) MAILS.—The Commission may use the United
10 States mails in the same manner and under the same con-
11 ditions as other Federal agencies.

12 **SEC. 6. REPORTS.**

13 (a) MONTHLY REPORTS.—The Commission shall
14 submit monthly activity reports to the President and the
15 Congress.

16 (b) INTERIM REPORT.—Not later than 1 year before
17 the date of its termination, the Commission shall submit
18 an interim report to the President and the Congress con-
19 taining—

20 (1) a detailed statement of the findings and
21 conclusions of the Commission;

22 (2) recommendations for legislative and admin-
23 istrative action based on the Commission's activities
24 to date;

1 (3) an estimation of the costs of implementing
2 the recommendations made by the Commission; and

3 (3) a strategy for disseminating the report to
4 Federal, State, and local authorities.

5 (c) FINAL REPORT.—Not later than the date of its
6 termination, the Commission shall submit to the Congress
7 and the President a final report with a detailed statement
8 of final findings, conclusions, recommendations, and esti-
9 mation of costs and an assessment of the extent to which
10 recommendations included in the interim report under
11 subsection (b) have been implemented.

12 (d) PRINTING AND PUBLIC DISTRIBUTION.—Upon
13 receipt of each report of the Commission under this sec-
14 tion, the President shall—

15 (1) order the report to be printed; and

16 (2) make the report available to the public.

17 **SEC. 7. TERMINATION.**

18 The Commission shall terminate on the date that is
19 2 years after the date on which members of the Commis-
20 sion have met and designated a Chairperson and Vice
21 Chairperson.

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